

ATTORNEY'S DOCKET NUMBER: 26465U

U.S. DEPARTMENT OF COMMERCE, PATENT AND TRADEMARK OFFICE		DATE: <u>17</u> DECEMBER 2004 ( <u>17</u> .12.2004)
TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371		U.S. APPLICATION NUMBER: (If Known): <b>10/318413</b> Not Yet Assigned
INTERNATIONAL APPLICATION NUMBER: PCT/EP03/06435	INTERNATIONAL FILING DATE: 18 JUNE 2003 (18.06.2003)	PRIORITY DATE CLAIMED: 18 JUNE 2002 (18.06.2002) DE
TITLE OF INVENTION: METHOD FOR DIAGNOSING AND TREATING NIS-EXPRESSING CARCINOMAS AND METASTASES		
APPLICANT(S) FOR DO/EO/US: Ulrich LOOS		
<p>Applicant hereby submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:</p> <ol style="list-style-type: none"> <li><input checked="" type="checkbox"/> This is a <b>FIRST</b> submission of items concerning a filing under 35 U.S.C. 371.</li> <li><input type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a filing under 35 U.S.C. 371.</li> <li><input type="checkbox"/> This express request to begin national examination procedures (35 USC 371(f)) The submission must include items(5), (6), (9) and (21) indicated below.</li> <li><input checked="" type="checkbox"/> The US has been elected (Article 31).</li> <li><input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2)):             <ol style="list-style-type: none"> <li><input checked="" type="checkbox"/> is transmitted herewith (required only if not transmitted by the International Bureau).</li> <li><input type="checkbox"/> has been communicated by the International Bureau.</li> <li><input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US)</li> </ol> </li> <li><input checked="" type="checkbox"/> A English translation of the International Application as filed (35 U.S.C. 371(c)(2)).</li> <li><input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))             <ol style="list-style-type: none"> <li><input type="checkbox"/> are attached hereto (required only if not transmitted by the International Bureau).</li> <li><input type="checkbox"/> have been communicated by the International Bureau.</li> <li><input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.</li> <li><input checked="" type="checkbox"/> have not been made and will not be made.</li> </ol> </li> <li><input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</li> <li><input type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).</li> <li><input type="checkbox"/> A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).</li> </ol> <p><b>ITEMS 11 to 20 BELOW CONCERN OTHER DOCUMENT(S) OR INFORMATION INCLUDED:</b></p> <ol style="list-style-type: none"> <li><input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.</li> <li><input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</li> <li><input checked="" type="checkbox"/> A <b>FIRST</b> preliminary amendment.</li> <li><input type="checkbox"/> A <b>SECOND</b> or <b>SUBSEQUENT</b> preliminary amendment</li> <li><input type="checkbox"/> A substitute specification.</li> <li><input type="checkbox"/> A change of power of attorney and/or address letter.</li> <li><input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter2 and 35 USC 1821 - 1825</li> <li><input type="checkbox"/> A second copy of the published international application under 35 USC 154(d)(4)</li> <li><input type="checkbox"/> A second copy of the English language translation of the international application under 35 USC 154(d)(4)</li> <li><input checked="" type="checkbox"/> Other items or information: TRANSMITTAL LETTER; TRANSMITTAL LETTER TO U.S. DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING FILING UNDER 35 U.S.C. 371; INTERNATIONAL PUBLICATION NUMBER: WO 03/107001 A1 WITH ENGLISH TRANSLATION; INTERNATIONAL PUBLICATION DATE: 24 DECEMBER 2003 (24.12.2003), WHICH CONSISTS OF 31 PAGES: 1 PAGE OF THE COVER SHEET WITH THE ENGLISH ABSTRACT, 20 PAGES OF TEXTUAL SPECIFICATION WITH LISTED REFERENCES, 7 PAGES OF 39 CLAIMS, 1 PAGE OF AN ABSTRACT, 2 SHEETS OF DRAWINGS; PRELIMINARY AMENDMENT WITH ATTACHMENT A TO BE EXAMINED; UNEXECUTED INVENTOR'S DECLARATION AND POWER OF ATTORNEY; POSTCARD FOR EARLY NOTIFICATION OF SERIAL NUMBER.</li> </ol>		

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U.S. APPLICATION NUMBER: (If known) Not Yet Assigned <div style="font-size: 2em; font-weight: bold; margin-top: 10px;">10/518413</div>	INTERNATIONAL APPLICATION NUMBER: PCT/EP03/06435	DATE: 17 DECEMBER 2004 17.12.2004
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17. <input checked="" type="checkbox"/> The following fees are submitted:  <b>Basic National Fee (37 CFR 1.492(a)(1)-(5):</b> (to include Basic National Stage Fee, National Stage Search Fee, and National Stage Examination Fee)  International preliminary examination fee paid to USPTO (37 CFR 1.482).....\$750.00  No international preliminary examination fee paid to USPTO (37 CFR 1.482) but international search fee paid to USPTO (37 CFR 1.445(a)(2)).....\$790.00  Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO.....\$1,110.00  International preliminary examination fee (37 CFR 1.482) and all claims satisfied provisions of PCT Article 33(2)-(4) IPEA-U.S.....\$ 100.00  <div style="text-align: right;"><b>ENTER APPROPRIATE BASIC FEE AMOUNT =</b></div>	<u>CALCULATIONS</u>  \$ 1,000.00       \$ 1,000.00	<u>PTO USE ONLY</u>
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Surcharge of \$130.00 for furnishing the oath or declaration later than ___ 20 ___ 30 months from the earliest claimed priority date (37 CFR 1.492(e)).	\$ 0.00	
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CLAIMS	NUMBER: FILED	NUMBER: EXTRA	RATE		
TOTAL	39-20=	19	X \$ 50.00	\$	950.00
INDEPENDENT	7- 3=	4	X \$ 200.00	\$	800.00
Multiple dependent claims(s) (if applicable)			+ \$360.00	\$	0.00
<b>TOTAL OF ABOVE CALCULATIONS =</b>				\$	2,750.00
Reduction by 2 for asserting small entity, if applicable. (Note 37 CFR 1.9, 1.27, 1.28).				\$	- 1,375.00
<b>SUBTOTAL =</b>				\$	1,375.00
Processing fee of \$130.00 for furnishing the English translation later than ___ 20 ___ 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				\$	0.00
<b>TOTAL NATIONAL FEE =</b>				\$	1,375.00
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property +				\$	.00
<b>TOTAL FEES ENCLOSED =</b>				\$	1,375.00
				Amount to be:	
				refunded	\$
				charged	\$

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U.S. APPLICATION NUMBER: (If known) Not Yet Assigned  <b>10/518413</b>	INTERNATIONAL APPLICATION NUMBER:  PCT/EP03/06435	DATE <b>17</b> DECEMBER 2004 ( <b>17</b> .12.2004)
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a. ☒ One check in the amounts of \$ 1,375.00 to cover the above fee is enclosed.

b. ☐ Please charge my Deposit Account Number: 14-0112 in the amount of \$ \_\_\_\_\_ to cover the above fees. (A duplicate copy of this sheet is enclosed.)

c. ☒ The Commissioner is hereby authorized to charge any additional fees, which may be required, or credit any overpayment to Deposit Account Number: 14-0112.


d. ☐ Fees are to be charged to a credit card \_\_\_\_ WARNING: Information on this form may become public \_\_\_\_ Credit Card Information should not be included on this form. \_\_\_\_ Provide credit card information and authorization on PTO-2038

**NOTE:** Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed to request that the application be restored to pending status.

Send All Correspondence To:

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Rev. 02/98

10/518413

MAIL STOP PCT

Attorney Docket: 26465U

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**DT01 Rec'd PCT/PTC 17 DEC 2004**

In re Application of:

LOOS

International Application Number: PCT/EP03/06435

Serial Number: NOT YET ASSIGNED

International Filing Date: 18 June 2003 (18.06.2003)

Filed: December 17, 2004

**For: METHOD FOR DIAGNOSING AND TREATING NIS-EXPRESSING CARCINOMAS  
AND METASTASES**

**TRANSMITTAL LETTER**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Submitted herewith for filing in the U.S. Patent and Trademark Office is the following:

- (1) Transmittal Letter;
- (2) Transmittal Letter to U.S. Designated/Elected Office (DO/EO/US) Concerning Filing under 35 U.S.C. 371; International Publication No: WO 03/107001 A1 with English Translation, International Publication Date: 24 December 2003 (24.12.2003), which consists of 31 pages:
  - 1 Page of the Cover Sheet with the English Abstract,
  - 20 Pages of Textual Specification with listed references,
  - 7 Pages of 39 Claims,
  - 1 Page of an Abstract,
  - 2 Sheets of Drawings;
- (3) **Preliminary Amendment with Attachment A to be Examined;**
- (4) Unexecuted Inventor's Declaration and Power of Attorney;
- (5) Check Number: 22263 \$ 1,375.00 for basic filing fee as a small entity, search fee, examination fee, extra claims fee, and extra independent claims fee;
- (6) Postcard for early notification of serial number.

Respectfully submitted,  
**NATH & ASSOCIATES PLLC**

By: 

Gary M. Nath  
Registration Number 26,965  
Tanya E. Harkins  
Registration Number 52,993  
Customer Number 20529

Date: December 17, 2004

**NATH & ASSOCIATES PLLC**

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